

REAL ESTATE COMMISSION
Professional & Vocational Licensing Division
Department of Regulatory Agencies
State of Hawaii

MINUTES OF MEETING

Date: Thursday, January 28, 1971

Place: Examination Room, Department of Regulatory Agencies
1010 Richards Street, Honolulu, Hawaii

Present: Douglas R. Sodetani, Chairman
Herbert S. Isonaga, Vice Chairman
Hiromu Yamanaka, Member
William H. C. Young, Member

Yukio Higuchi, Executive Secretary

Absent: Louis Cannelora, Member
Harold Silva, Member
John Texeira, Member

Call to Order: There being a quorum, new Chairman Douglas Sodetani called the meeting to order at 2:05 p.m.

Announcements, Election, and Appointments: Announcement
Announcement was made that Governor Burns had appointed Douglas Sodetani as the new chairman of the Real Estate Commission replacing Herbert Isonaga effective January 1970.

Election
Inasmuch as Chairman Sodetani vacated the vice chairman office to take the chairmanship, an election was called for the office of vice chairman and nomination was open to the floor.

Yamanaka nominated Herbert Isonaga. Upon motion, the nomination was closed. By unanimous vote, Herbert Isonaga was elected the vice chairman of the Commission.

Appointments
Chairman Sodetani appointed Young to be the chairman of the Educational Task Force Subcommittee to replace himself.

Chairman Sodetani appointed Isonaga as the chairman of the Complaint and Review Subcommittee comprising of all four Oahu members. Chairman Sodetani delegated this subcommittee the power to conduct informal hearings and to make recommendations to the Commission.

Reading of Minutes: Upon motion, the minutes of the January 8, 1971 meeting were approved as circulated.

Business Out
of Minutes:

Educational Task Force Subcommittee Report

Chairman Sodemani reported on the Educational Task Force Committee meeting held on January 28, 1971 at 10:00 a.m. The subcommittee made the following recommendations:

Project Nos. 2 and 3

Recommend approval of Project Approval Agreements with the University of Hawaii.

Project No. 4

Recommend approval of Project Approval Agreement with the University of Hawaii be held in abeyance until a later date.

Project Newsletter

Recommend approval of having the University of Hawaii publish the first issue of the Commission's newsletter after Project No. 1 (Comprehensive Educational Profile Study) is completed at a cost not to exceed \$700.

Isonaga moved and Yamanaka seconded to approve, in total, the recommendations of the Educational Task Force Subcommittee. Motion carried.

Questionable Applications Deferred Earlier

Mrs. Marie D. Henderson (salesman)

Applicant appeared before the Commission and informally discuss her derogatory police abstract report. A question and answer period took place.

Upon motion, the Commission decided to offer Mrs. Henderson an opportunity to take out an active license and hang her license with an acceptable sponsoring broker who would be willing to accept the full responsibility of her conduct in view of her derogatory police abstract report.

Kenneth R. Bebb (salesman)

Applicant appeared before the Commission, accompanied by David Bartholomew of Bishop Realty, Inc., and informally discussed his derogatory police abstract report. Bebb elaborated on his arrest for trespassing, but did not discuss his pending felony charge on the advice of his attorney Hyman Greenstein.

After a question and answer period, Bebb was asked if he would have any qualms serving under the supervision of Bartholomew and he replied in the negative. Bartholomew also consented to be Bebb's principal broker. Chairman Sodemani made it very clear to Bebb and Bartholomew that should a license be granted to Bebb, the Commission will hold Bartholomew responsible for Bebb's conduct and supervision and that the Commission will not accept the excuse of "I didn't know." Bebb was further advised that should

a license be issued to him and should he be convicted of his pending felony charge, his license would be subject to revocation.

Upon motion, the Commission decided to grant Bebb a license on condition that Bartholomew submit a Statement of Prospective Broker-Employer and provide personal supervision over Bebb.

Norman C. Moeller (salesman)

Executive Secretary presented an investigation report on Moeller's character prepared by our Hilo investigator.

Upon motion, the Commission decided to grant Moeller a license.

The Executive Secretary was directed to write a letter of reprimand to Moeller's principal broker for prematurely advertising Moeller as a licensee.

Investigations: RE-417 and 422 Lewis Realty

Russell G. Lewis, dba Lewis Realty, appeared before the Commission accompanied by Mrs. Frances "Judy" Morrison, saleswoman, to informally discuss the matter of complaints. The Commission is concerned with the kind of supervision being provided the sales staff of Lewis Realty inasmuch as there have been three recent complaints filed against the firm. Lewis gave his explanation on the three complaints and the remedial action taken by his firm. A question and answer period followed. After dismissing Russell and Mrs. Morrison, the Commission considered both complaints individually.

Upon motion, the Commission found no violation against Lewis Realty in the matters of RE-417 and 422. Both cases were dismissed.

RE-421 Velva Bergevin, Ltd.

Velva Bergevin, accompanied by Mrs. Patricia Haglund and Al Barclay, appeared and informally discussed the complaint filed by the Des Jarlaises. Mrs. Haglund represented Col. Lawton and Barclay represented Des Jarlais. A question and answer period took place.

After dismissing Mrs. Bergevin, Mrs. Haglund, and Barclay, the Commission considered the matter.

Upon motion, the Commission found no violation against Velva Bergevin, Ltd. The Commission will attempt to contact Mr. Lawton, the eventual purchaser, to get his views as to his reason for offering a thousand dollar more than the asking price.

RE-427 Hee & Herron Realty, Inc., now licensed as Punahou Realty, Inc.

Alfred Hee, principal broker, and Lou Herron, salesman, appeared before the Commission to informally discuss the complaint filed by Larry Bortles. A question and answer period took place.

After dismissing Hee and Herron, the Commission considered the matter. The Commission found that technical errors had been committed but found no wilful violation.

Upon motion, the Commission decided that no further action be taken on this matter unless other evidence can be produced to shed new light on this case.

RE-415 Werner B. Ehrensberger

The Commission found that complainant had signed the Acceptance of Offer and Sellers Agreement to Pay Commission which calls for a 2% commission to respondent as seller's agent.

Upon motion, the Commission found no violation. Case dismissed.

New Business: Licensing

Corporation

Dyck & Lowson, Inc.	James M. Lowson, PB
Raps Harper, Realtor, Inc.	Raphael S. Harper, PB
Wick Realty, Inc.	Erling P. Wick, PB
Ohama Realty, Inc.	Harold H. Ohama, PB
Investment One, Ltd.	Helen K. Wilkinson, PB

DBA

Minoru Shigeoka Realty	Minoru Shigeoka dba
Edie Wiltgen, Realtor	Edith V. Wiltgen dba
Kenji Tokuno Realty	Kenji Tokuno dba
Hanalei Realty	William J. McCarthy, Jr. dba
Stinson Realty	James W. Stinson dba
J. Y. Realty	John C. S. Young dba
Chubby Roland Realty	Roland A. Cloutier dba

Upon motion, the license processing of the above as tentatively authorized by the Licensing Administrator was approved.

Miscellaneous: Letter of Complaint from Grace Mullers (saleswoman) Against Oceanside Properties, Inc., and Circle Realty, Inc.
The Commission found that Hansen of Oceanside Properties, Inc., acted properly in making the check out to the complainant and Circle Realty, Inc. The Commission felt that the dispute is over sales commission and the Commission has no jurisdiction over commission disputes.

Upon motion, the Commission found no violation. Case dismissed.

Complaint Letter of Mrs. Robert E. Hamilton Referred by Consumer Protector Regarding Advertisement by Real Estate Developers

The Commission decided to consider the point brought out by Mrs. Hamilton and will explore the possibility of making tighter restrictions on advertisements through its rules and regulations.

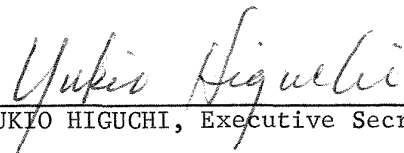
Correspondence from Honolulu Board of Realtors

The Executive Secretary read the correspondence he received advising the Commission that the Honolulu Board of Realtors voted to support the Commission's legislative proposals.

Next Meeting: Thursday, February 25, 1971 at 1:30 p.m.

Adjournment: There being no further business, the meeting was adjourned at 6:00 p.m.

Recorded by:


YUKIO HIGUCHI, Executive Secretary

YH:va
2/18/71